4.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

INTRODUCTION

This section presents an analysis of each resource topic that has been identified through preliminary environmental analysis and the public scoping process as likely to be affected by the proposed Gallery at Central Park project. Each subsection describes the environmental setting of the project as it relates to that specific resource topic; the impacts that could result from implementation of the project; and mitigation measures that would avoid, reduce, or compensate for the impacts of the project.

LEVEL OF SIGNIFICANCE

Under the California Environmental Quality Act (CEQA), a variety of terms are used to describe the levels of significance of adverse impacts. The definition of terms used in this EIR is presented below.

- **Significant and Unavoidable Impact.** An impact that exceeds the defined standards of significance and cannot be avoided or reduced to a less-than-significant level through implementation of feasible mitigation measures.

- **Significant Impact.** An impact that exceeds the defined standards of significance and that can be avoided or reduced to a less-than-significant level through implementation of feasible mitigation measures.

- **Potentially Significant Impact.** A significant impact that may ultimately be determined to be less than significant; the level of significance may be reduced through implementation of policies or guidelines (that are not required by statue or ordinance), or through further definition of the project detail in the future. Potentially significant impacts may also be impacts for which there is not enough information to draw a firm conclusion; however, for the purpose of this EIR, they are considered significant. Such impacts are equivalent to Significant Impacts and require the identification of feasible mitigation measures.

- **Less-Than-Significant Impact.** Impacts that are adverse but that do not exceed the specified standards of significance.

- **No Impact.** The project would not create an impact.

FORMAT OF RESOURCE TOPIC SECTIONS

Each resource topic considered in **Section 4.0** is addressed under five primary subsections: Introduction, Environmental Setting, Regulatory Considerations, Impacts and Mitigation Measures, and References. An overview of the information included in these sections is provided below.

Introduction

The introduction section describes the topic to be analyzed and the contents of the analysis. It also provides the sources used to evaluate the potential impact of the project, and lists issues and concerns relative to the resource topic identified by the public and the agencies during the EIR scoping process.

Environmental Setting (Baseline)

According to Section 15125(a) of the *State CEQA Guidelines*, the environmental setting, that is the physical environmental conditions in the vicinity of the project, is the on-the ground condition at the time the Notice of Preparation (NOP) is published. The environmental setting normally constitutes the baseline relative of which a lead agency determines whether an impact is significant. The NOP for the Gallery at Central Park EIR was published on January 30, 2008. The baseline condition for the project is the condition of the site (e.g., existing land uses, existing soil conditions, existing traffic conditions) at the time the NOP was released, and is described in the environmental setting section for each resource topic. Note that although the site was occupied by a Kaiser facility through August 2007, at the time the NOP was published in January 2008, the hospital had been relocated to another location in Santa Clara, and only about 30,000 square feet of medical/administrative office space occupied the space on the project site (these uses continue to be present on the site at the time of this writing). Therefore for all resource topics the baseline condition comprises a site that is partially vacant except for 30,000 square feet of occupied medical/administrative office building space. Impacts are evaluated by comparing the "with project" condition to this baseline condition of a largely vacant site. One resource impact was however analyzed differently by comparing the project condition to an alternate baseline condition. To evaluate the project's impact on water supply, instead of using the site's current water demand as baseline, the water demand for the previous Kaiser facility was used as baseline and the project-related increment of water (water needed by the project in excess of the water used on site when the hospital was in operation) was analyzed for its environmental effect. This approach was taken because the City's 2005 Urban Water Management Plan, which was prepared in 2005, did not anticipate that the Kaiser facility would be relocated and therefore included the water demand associated with the Kaiser facility at this site in its water demand projections. Because the hospital-related water demand was already included in the City's water demand projections, the impact analysis focused on the additional water that would be needed to serve the proposed project and the ability of the City to provide that additional water. For more information on this approach, please see **Section 4.13, Utilities and Services..**

Regulatory Considerations

The overview of regulatory considerations for each resource topic is organized by agency, including applicable federal, state, regional, and local (City) policies. The City of Santa Clara General Plan policies relevant to each resource topic are provided in **Section 4.7, Land Use and Planning**.

Impacts and Mitigation Measures

This subsection lists significance criteria that are used to evaluate impacts, followed by a discussion of the impacts that would result from implementation of the project. Impacts are numbered and shown in bold type, and the corresponding mitigation measures are numbered. Impacts and mitigation measures are numbered consecutively within each topic. Cumulative impacts are also presented for each resource topic. For more information on the approach to cumulative impact analysis, see the description under "Approach to Cumulative Analysis" below.

References

This subsection lists the references used to prepare the environmental setting and impact analysis for each section of the EIR.

APPROACH TO CUMULATIVE IMPACT ANALYSIS

The analysis of cumulative impacts for each environmental factor can employ one of two methods to establish the effects of other past, current, and probable future projects. A lead agency may select a list of projects, including those outside the control of the agency, or, alternatively, a summary of projections. These projections may be from an adopted general plan or related planning document, or from a prior environmental document that has been adopted or certified, and these documents may describe or evaluate regional or area-wide conditions contributing to the cumulative impact.

This EIR evaluates cumulative impacts using a list of reasonably foreseeable projects. The projects listed in **Table 4.0-1, Related Projects**, below are included in the cumulative analysis for the project and are also shown in **Figure 4.0-1, Location of Cumulative Projects.** The cumulative impact analysis focuses on the change in the environment that would result from the incremental impact of the project when added to other closely related past, present, and reasonable foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. Reasonably foreseeable future projects are defined to include approved but not built projects and projects for which applications that have been submitted but have not yet been approved. Of this list, four projects are within 1.5 miles of the project site. These projects are expected to be under construction

between 2008 through 2013. As the construction of these projects would overlap with that of the proposed project (2009 to 2012), there is potential for the construction impacts of these projects to cumulate with the impacts of the proposed project. **Section 4.2, Air Quality**, and **Section 4.12, Transportation and Traffic**, of the EIR evaluate these potential effects in the discussion of cumulative impacts. As described in **Section 3.0, Project Description**, the project is expected to be operational by 2012. For the purposes of the cumulative analysis, all those projects that would be operational by 2012 or 2013 are evaluated in all the resource sections of this EIR for potential long-term cumulative effects.

The cumulative impacts discussion describes the cumulative impacts of the proposed project, and determines whether the proposed project in combination with other approved or foreseeable projects would result in a significant cumulative impact, and, if so, whether the project's contribution to the significant cumulative impact would be cumulatively considerable.

Section 15130 of the *State CEQA Guidelines* provides direction regarding cumulative impact analysis as follows:

- An EIR should not discuss cumulative impacts that do not result in part from the proposed project;
- A lead agency may determine that an identified cumulative impact is less than significant, and shall briefly identify facts and analysis in the EIR supporting its determination;
- A lead agency may determine a project's incremental effect is not cumulatively considerable, and therefore is not significant, and shall briefly describe in the EIR the basis of its determination; and
- A lead agency may determine a project's cumulatively considerable contribution to a significant cumulative impact may be rendered less than cumulatively considerable and therefore residually not significant, if the project implements or funds its fair share of mitigation measure or measures designed to alleviate the cumulative impact.

Table 4.0-1
Related Projects

Project	Location	Description	Anticipated Year Built
Approved Projects			
Intel SC-12b Regency	2350 Mission College Boulevard, Santa Clara	Existing industrial use redeveloped to 100,000 sf of office land use	1-3 years
Intel SC-14	2200 Mission College Boulevard at Freedom Circle, Santa Clara	Existing industrial use redeveloped to 400,000 sf of office land use	Built

Project	Location	Description	Anticipated Year Built
Approved Projects			
Intel SC-13[6]	2250 Mission College Boulevard, Santa Clara	Existing industrial use redeveloped to 100,000 sf of office use	2-5 years
Informix[6]	3925, 3935, & 3965 Freedom Circle, Santa Clara	Existing industrial use redeveloped to 400,000 sf of office use	Built
Applied Materials	3333 Scott Boulevard, Santa Clara	Existing industrial use redeveloped to 840,000 sf of research & development	7-10 years
Agilent Technologies	5301 Stevens Creek at Lawrence Exp, Santa Clara	Existing industrial use redeveloped to 727,500 sf of office and research & development	10 years
Cognac Great America	5402 Great American Parkway at Yerba Buena, Santa Clara	Existing office use redeveloped to 278,000 sf of office/research & development	2-5 years
Yerba Buena/Irvine	5351 Great American Parkway at Yerba Buena, Santa Clara	Undeveloped site developed to 911,000 sf of office use	2-5 years
Shea/UL site	1655 Scott Boulevard at El Camino Real, Santa Clara	Existing industrial use redeveloped to 132 housing units	2-3 years
North San Jose Phase I	North San Jose, CA	8,841 residential units, 147,000 sf of commercial use, and 1,488,609 sf of industrial park/office development	2-10 years
Kaiser Hospital[8]	3800 Homestead Road (Westside of Calabazas Creek), Santa Clara	130,000 sf of medical offices	2-5 years
BAREC[9]	90 Winchester Boulevard at Forest Avenue, Santa Clara	165 apartments and 110 single-family detached units	1-4 years
Sobrato[7]	2200 Lawson Lane, Santa Clara	516,000 sf of office use	1-3 years
Marina Playa[7]	1331-1333 Lawrence Expressway, Santa Clara	Existing office use redeveloped to 277 multi-family units and 63 single family units	1-3 years

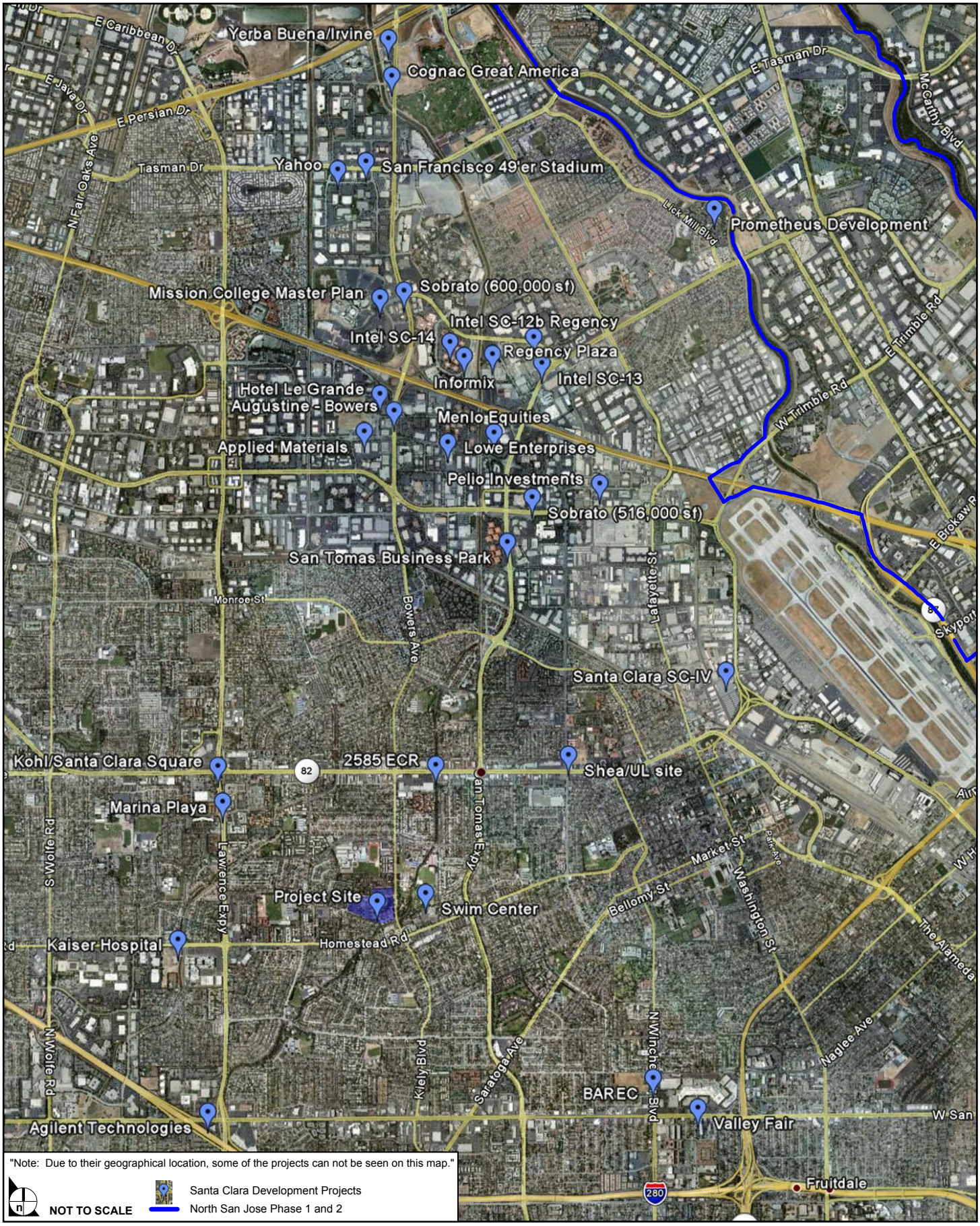
Project	Location	Description	Anticipated Year Built
Approved Projects			
Valley Fair	2855 Steven Creek Boulevard, San Jose	678,000 sf expansion of existing shopping center	1-3 years
Santa Clara SC-IV Data Center	535-555 Reed Street, Santa Clara	312,000 sf internet data center	1-3 years
Prometheus Development[1]	502 Mansion Park Drive, Santa Clara	124 apartment units	Under Construction

Project	Location	Description	Existing Square Feet
Foreseeable Projects			
Kohl/Santa Clara Square	3610-3700 El Camino Real, Santa Clara	Existing shopping center redeveloped to 490 housing units and 171,000 sf of retail use	111,495 sf retail center
Yahoo[4, 5]	Nine parcels bounded by Tasman Dr., Patrick Henry Way, and Democracy Way, Santa Clara	3,000,000 sf of office and research & development	640,000 sf office/industrial
Menlo Equities[5]	3300 Olcott, Santa Clara	179,000 sf office	100,575 sf office
2585 El Camino Real	2585 El Camino Real, Santa Clara	60 dwelling units, 3,307 sf of retail use	Parking lot
Regency Plaza	2350 Mission College Boulevard, Santa Clara	Existing industrial redeveloped to 300,000 sf of office use and 6,000 sf of retail use	251,000 sf office/industrial
Augustine - Bowers	2620-2727 Augustine Drive, Santa Clara	Existing light industrial redevelopment to 1,969,600sf of office use and 35,000 sf retail	444,752 sf office/industrial; 5,290 sf restaurant
Lowe Enterprises	3250 Scott Boulevard	Existing light industrial redeveloped to 215,000 sf of office use	70,046 sf office/industrial
Hotel Le Grande	2875 Lakeside Drive, Santa Clara	Existing hotel expanding to 170-room hotel	9,980 sf restaurant

Project	Location	Description	Existing Square Feet
Foreseeable Projects			
San Tomas Business Park[3]	2600-2800 San Tomas Expressway and 2400 Condensa St, Santa Clara	Existing light industrial and office redeveloped to 1,950,000 sf of office and high-tech lab	690,550 sf office/industrial
Sobrato	4301-4401 Great America at Mission College Blvd., Santa Clara	600,000 sf of office use	301,163 sf office/industrial
Mission College Master Plan[5]	Mission College Blvd at Great America Parkway, Santa Clara	Demolition of 235,000 sf of educational facilities and development of two new buildings totaling 427,000 sf	College Campus
North San Jose Phase II[2]	City of San Jose	1,500,000 sf of research & development/office space and 5,353 residential units	
Pelio Investments	1500 Space Park, Santa Clara	350,000 sf data center	55,544 sf office/industrial
Swim Center at Central Park[2]	909 Kiely Boulevard, Santa Clara	2 Olympic-sized pools, special event venue	Renovation of existing facility
San Francisco 49er Stadium	5150 Tasman Drive, Santa Clara	68,500 seat stadium	Parking lot
Landmark Towers[1]	600 Barber Lane, Milpitas	Redevelopment with 375 condominiums, 148,805 sf retail, and 48,960 sf office	Two-story Auto Showroom and Parking Lot
The Campus at McCarthy Ranch[1]	McCarthy Boulevard at Ranch Drive, Milpitas	946,350 sf of additional office/industrial space	469,464 sf office/industrial

Project	Location	Description	Existing Square Feet
Foreseeable Projects			
Milpitas Square[1]	190 Barber Lane, Milpitas	Addition of 900 multi-family units and 12,800 sf retail to an existing shopping center	Shopping Center

Source: City of Santa Clara 2008
sf = square feet
[1] Expected to generate few peak-hour trips at study intersections
[2] Development expected to occur 10 to 15 years beyond analysis horizon year
[3] Analysis included full development of project, however only one third anticipated to be constructed by analysis horizon year
[4] One third of project, or 1 million sf anticipated to be constructed by analysis horizon year
[5] Trips generated by these new cumulative projects are offset against full development of San Tomas Business Park (see note 3)
[6] Projects not included on previous list, however, addition of trips generated by these projects do not change significance findings under Background Conditions
[7] Projects previously analyzed in Cumulative Conditions, however, addition of trips generated by these projects do not change significance findings under Background Conditions
[8] Project contains 45,000 fewer sf. than evaluated
[9] Project contains 10,000 fewer units than evaluated



SOURCE: Google Earth - 2008

FIGURE **4.0-1**

Location of Cumulative Projects